

Message Text

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ACTION SNM-05

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TAGS: SNAR
SUBJECT: ETHIOPIAN NARCOTICS LAWS

REF: STATE 170187

1. TO DATE ETHIOPIA HAS NOT HAD A SIGNIFICANT DRUG PROBLEM.
IT HAS NOT PROVED TO BE A PARTICULARLY LUCRATIVE TARGET
FOR INTERNATIONAL DRUG TRAFFICKERS FOR REASONS INCLUDING
SOCIO-ECONOMIC STANDARDS, GEOGRAPHY AND MORE RECENTLY, POLITICS.

2. IT APPEARS THAT ETHIOPIAN CRIMINAL SANCTIONS RELATIVE TO DRUG
ACTIVITY HAVE BEEN PURPOSELY LEFT VAGUE AND INNOCUOUS.
PRECEDENTS INDICATE THAT VIOLATORS ARE DEALT WITH ON AN AD HOC
BASIS WITH THE SEVERITY OF THE SENTENCE DICTATED BY
REPERCUSSIONS OF THE ACTIVITY.

3. SPECIFIC REGULATIONS OF THE ETHIOPIAN PENAL CODE ARE
LISTED BELOW:

A) ARTICLE 510 - PRODUCTION, MAKING OR DISTRIBUTION OF
POISONOUS OR NARCOTIC SUBSTANCES

(1) WHOSOEVER, WITHOUT LAWFUL AUTHORITY, PRODUCES OR MAKES
TRANSFORMS, IMPORTS, EXPORTS OR TRANSPORTS, ACQUIRES OR
RECEIVES, STORES, OFFERS FOR SALE OR DISTRIBUTES, OR PRODUCES
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FOR ANOTHER, POISONS OR NARCOTIC SUBSTANCES, IS PUNISHABLE
WITH A FINE NOT EXCEEDING TWENTY THOUSAND (ETH) DOLLARS.

(2) THE SAME PUNISHMENT MAY BE INFLICTED UPON ANYONE WHO
KNOWINGLY PLACES AT THE DISPOSAL OF ANOTHER, EVEN PRIVATELY,
PREMISES WHERE THE TAKING OF DRUGS OR NARCOTIC SUBSTANCES
IS PRACTICED.

(3) THE COURT MAY PASS SENTENCE OF RIGOROUS IMPRISONMENT NOT EXCEEDING FIVE YEARS AND IMPOSE A FINE NOT EXCEEDING THIRTY THOUSAND DOLLARS (ETH);

(A) WHERE THE OFFENSE IS COMMITTED BY A BAND OR AN ASSOCIATION ORGANIZED FOR THIS TRAFFIC OR BY A PERSON WHO MAKES A PROFESSION OF SUCH FELONIOUS ACTIVITIES; OR

(B) WHERE SUCH FORBIDDEN TOXIC SUBSTANCE OR ACCESS TO THE PREMISES IS FURNISHED KNOWINGLY, FOR GAIN OR IMPROPER MOTIVE, TO AN INFANT OR YOUNG PERSON, A MENTAL DEFECTIVE OR DRUG ADDICT.

B) ARTICLE 786 - CONTROL OF TOXIC SUBSTANCES AND DRUGS

WHOSOEVER, APART FROM THE CASES PUNISHABLE UNDER THE PENAL CODE (ARTICLE 510):

(A) MANUFACTURES OR PREPARES, SELLS OR OFFERS FOR SALE, DELIVERS OR GIVES WITHOUT LAWFUL PERMISSION OR AN EXPRESS MEDICAL PRESCRIPTION, WHERE SUCH ARE REQUIRED, SUBSTANCES WHICH ARE NARCOTIC, TOXIC OR POISONOUS, NOXIOUS OR DANGEROUS FOR THE HEALTH; OR

(B) IN DEFIANCE OF RULES PRESCRIBED BY LAW OR RULES DICTATED
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BY COMMON PRUDENCE WILLFULLY SELLS, OFFERS FOR SALE OR DELIVERS SUCH SUBSTANCES OR PRODUCTS EVEN WHEN THEIR DELIVERY IS NOT EXPRESSLY PROHIBITED WITHOUT AN AUTHORIZATION, TO PERSONS WHO ARE IRRESPONSIBLE, TO INFANTS OR YOUNG PERSONS, SICK PERSONS OR INDIVIDUALS FOR WHOM THEY ARE MAINFESTLY DANGEROUS OR UNSUITABLE; OR

(C) KEEPS OR HANDLES SUCH SUBSTANCES OR PRODUCTS WITHOUT TAKING THE PRECAUTIONS REQUIRED BY OFFICIAL OR PROFESSIONAL REGULATIONS, CUSTOMS OR DICTATES OF COMMON PRUDENCE, IN PARTICULAR WHEN THERE IS A RISK OF MISTAKE OR CONFUSION; OR

(D) FAILS TO WARN OTHER PERSONS OF THE DANGER OF POISONING OR INTOXICATION KNOWN TO HIM, WHEN IT IS HIS DUTY AND HE IS ABLE TO DO SO, IS PUNISHABLE WITH FINE OR ARREST.
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